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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/451,167	11/30/1999	MATTI UUSIMAKI	944-001.005	8699

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EXAMINER

ABDULSELAM, ABBAS I

ART UNIT

PAPER NUMBER

2674

DATE MAILED: 10/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/451,167

Applicant(s)

UUSIMAKI, MATTI

Examiner

Abbas I Abdulsalam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 12.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Claim Rejections 35 U.S.C. 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Colonna et al. (USPN 6115620) in view of Vance (USPN 6389302).

Regarding claims 1 and 4, Colonna teaches about a portable communication device (100), hinge assembly (214), first housing element (202), and second housing element (204) that is movable relative to first housing. See column 3, lines 61-67, and column 4, line 16. In addition Colonna teaches about a sensor producing a position signal to indicate the position of the second housing element relative to the first housing element. See column 2, lines 45-51 and Fig 2.. However, Colonna does not teach a touch sensitive circuitry providing the position of a contact force applied by the user on the moveable housing element. Vance on the other hand teaches radiotelephone (10) including a battery (20) and piezo-ceramic member (30) mounted to a radiotelephone housing(11) that is positioned to contact the battery. Vance further teaches that the battery moves in response to the deflection generated force of the piezo-ceramic member and contacts two spring-loaded power circuit contacts (13, 14). See col. 5, lines 10-15, 45-60 and Fig 1.

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Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify Colonna's portable communication device to include Vance's piezo-ceramic member including the circuit contacts (13, 14) configurations. One would have been motivated in view of the suggestion in Vance that the desired position of contact force and touch sensitive circuitry can be equivalently obtained by Vance's piezo-ceramic arrangement. The use piezo-ceramic member along with circuit contacts helps function a portable device such as radiotelephones and cellular phones as taught by Vance.

Regarding claims 2-3 and 28, it has been discussed above.

Regarding claims 5, 9, 18, 27 and 31, Vance teaches the side of the battery which can be formed with a low friction sliding material. Vance also teaches the use of keypad in connection with radiotelephones. See col. 5, lines 66-67, col. 11, lines 4-7, Fig 2 and Fig 11A.

Regarding claims 6 and 7, Colonna teaches about a controller (106), user interface (110) with respect to RF signals. See column 2, lines 65-67, and column 3, lines 1-7.

Regarding claim 8, Vance teaches a piezo-ceramic member of capacitive in nature. See col. 11, line 62, Fig 16 and Fig 17.

Regarding claims 10 and 29, Colonna teaches about different types of input devices as well as different electronic devices such as radiotelephone and PDA. See column 2, lines 60-65. Also see column Fig 2 and 3

Regarding claims 11, 21-26 and 30, see Colonna's Fig 2 (206, 208).

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Regarding claim 12 and 16, Colonna teaches the use portable communication device including the use of speaker phone mode which is illustrated in terms of a switching process. See col. 1, lines 5-11.

Regarding claim 13, Colonna's teaches about sensor circuitry. See Fig 8.

Regarding claims 14, 17, and 19-20 Colonna teaches about speaker (10) and radiotelephone system. See Fig 12. Colonna also teaches about, keypad (206) along with controller (106), user interface (110), and 19 and transmission of RF signals data including voice and control signals. See Fig 1, and 2.

Regarding claim 15, see Colonna's's Fig 3.

Conclusion

2. The prior art made of record and not relied upon is considered to applicant's disclosure.

The following arts are cited for further reference.

U.S. Pat No. 6,241,531 to Roath et al.

U.S. Pat No. 5,632,548 to Mayfarth

U.S. Pat No. 4,374,354 to Petrovic

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3. Any inquiry concerning this communication or earlier communication from the examiner should be directed to **Abbas Abdulsalam** whose telephone number is **(703) 305-8591**. The examiner can normally be reached on Monday through Friday (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard Hjerpe**, can be reached at **(703) 305-4709**.

Any response to this action should be mailed to:


Commissioner of patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314

Hand delivered responses should be brought to crustal park II, Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology center 2600 customer Service office whose telephone number is (703) 306-0377.


RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Abbas Abdulsalam
Examiner
Art Unit 2674